

Ordinance Requiring an Adequate Water Supply in Areas Outside of Active Management Areas Unless an Exemption Applies

Sec. 403 **Final Plat Additional Data:** Additional and/or related data, documents or exhibits to be submitted with the final plat, unless as otherwise specified below: ¹

403.1 Water Source:

A. If the subdivision will be located in an active management area, as defined in A.R.S. § 45-402, a certificate of assured water supply from the Arizona Department of Water Resources or a letter of commitment to supply water to the subdivision from a water provider designated by the Arizona Department of Water Resources having an assured water supply pursuant to A.R.S. § 45-576.²

B. If the subdivision will be located outside of an active management area, as defined in A.R.S. § 45-402, a water report issued by the Arizona Department of Water Resources determining that there is an adequate water supply for the subdivision or a letter of commitment to supply water to the subdivision from a water provider designated by the Arizona Department of Water Resources as having an adequate water supply. This requirement does not apply if any of the following apply:

1. The subdivider submits written verification from the Arizona Department of Water Resources that the Department granted the subdivision an exemption from the requirement pursuant to A.R.S. § 45-108.02 relating to substantial capital investment and the exemption has not expired; or

2. The subdivider submits written verification from the Arizona Department of Water Resources that the Department granted the subdivision an exemption from the requirement pursuant to A.R.S. § 45-108.03 relating to service from a water project within 20 years; or

3. The [*legislative body of a municipality or county board of supervisors*] previously approved a final plat for the subdivision prior to [*effective date of the ordinance*], the subdivider has made changes to the plat that require new approval from the board, and the subdivider submits written verification from the Arizona Department of Water Resources that the changes to the plat are not material under the rules adopted by the Department.

¹ This portion of the language was used to recommend amendments to Pinal County's ordinance regulating subdivision development, and fits within a list of items that must be submitted by the subdivider for final plat approval. The section number and related language should be modified as appropriate.

² This subsection should only be included if part of the county, city or town is included in an active management area.